

**RULES
OF
TENNESSEE WILDLIFE RESOURCES AGENCY
BOATING**

**CHAPTER 1660-2-3
RULES AND REGULATIONS GOVERNING CLASSIFICATION OF
VESSELS AND EQUIPMENT AND LIGHTS REQUIRED**

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1660-2-3-.01 CLASSIFICATION. Vessels subject to the provisions of these regulations shall be classified into four classes as follows:

- (1) Class A - Less than 16 feet in length;
- (2) Class 1 - 16 feet or over, but less than 26 feet in length;
- (3) Class 2 - 26 feet or over, but less than 40 feet in length;
- (4) Class 3 - 40 feet or over, but not more than 65 feet in length.

Authority: T.C.A. §70-1-206. **Administrative History:** Original rule certified May 8, 1974. Amendment filed November 20, 1975; effective December 20, 1975.

1660-2-3-.02 REPEALED.

Authority: T.C.A. §70-1-206. **Administrative History:** Original rule certified May 8, 1974. Amendment filed May 27, 1983; effective June 27, 1983. Repeal filed April 10, 2007; effective June 24, 2007.

1660-2-3-.03 FLOTATION DEVICES.

- (1) The operator of a vessel, when carrying passengers for hire, shall provide a United States Coast guard approved life preserver for each person on board, and unless the service is such that children are never carried, with an additional number of approved life preservers suitable for children equal to at least 10 percent of the total number of person carried.
- (2) No person shall use a vessel (which is not carrying persons for hire) unless at least one Coast guard approved personal flotation device Type I, II, III, or V is carried for each person on board. Type V devices must meet the requirements listed in paragraph (6) "exemptions" section below.
- (3) All vessels of Class 1, 2, or 3 (except canoes and kayaks) must carry at least one type IV flotation device on board.
- (4) All Personal Flotation devices carried on board vessels operating within the state shall be in good and serviceable condition, and of an appropriate size for the persons who intend to wear them. Wearable PFD's shall be readily accessible and throwable devices shall be immediately available for use.
- (5) Personal Flotation devices (PFD') are classified and marked by "Type" according to their performance as indicated below. The marking label attached to the PFD must indicate a U.S. Coast guard approval number.

(Rule 1660-2-3-.03, continued)

- (a) Type I - a wearable device which has the greatest required buoyancy and is designed to turn most unconscious persons in the water from a face down position to a vertical and slightly backward position. The adult size provides a minimum buoyancy of 22 pounds and the child size provides a minimum buoyancy of 11 pounds.
 - (b) Type II - a wearable device which is designed to turn the wearer to a vertical and slightly backwards position in the water. The turning action is not as pronounced as with the Type I and the device will not turn many persons under the same conditions as the Type I. An adult size device provides a minimum buoyancy of 15 1/2 pounds and the child size provides a minimum buoyancy of 7 pounds.
 - (c) Type III - a wearable device designed so that the wearer can place himself or herself in a vertical and slightly backward position, and the device will maintain the wearer in that position and have no tendency to turn the wearer face down. A Type III device has the same buoyance as the Type II PFD.
 - (d) Type IV - a throwable device designed to be grasped and held by the user until rescued. It can also be thrown to a person who has fallen overboard.
 - (e) Type V - A type V PFD is any PFD approved for restricted use and is acceptable only when used in the activity for which it was approved.
- (6) Exemptions:
- (a) Racing shells, rowing sculls, racing canoes and racing kayaks are exempted from the requirements for carriage of any Type PFD, racing shell, rowing scull, racing canoe, and racing kayak means a manually propelled vessel that is recognized by national or international racing associations for use in competitive racing and one in which all occupants row, scull, or paddle, with the exception of a coxswain, if one is provided, and is not designed to carry and does not carry any equipment not solely for competitive racing.
 - (b) A Type V PFD may be carried in lieu of any PFD required provided the approval label on the Type V PFD indicated that the device is approved:
 - 1. For the activity in which the vessel is being used or as a substitute for a PFD of the Type required on the vessel in use.
 - 2. The PFD is used in accordance with any requirements on the approval label.
 - 3. The PFD is used in accordance with requirements in its owner's manual, if the approval label makes reference to such a manual.
 - (c) Sailboards are exempted from the requirements for any carriage of any Type PFD. A sailboard means a sail propelled vessel with no freeboard and equipped with a swivel mounted mast not secured to a hull by guys or stays.
 - (d) Vessels of the United States used by foreign competitors while practicing for or racing in competition are exempted from these carriage requirements provided the vessel carries one of the sponsoring foreign country's acceptable flotation devices for each foreign competitor on board.

Authority: T.C.A. §§69-9-209 and 70-1-206. **Administrative History:** Original rule certified May 8, 1974. Amendment filed March 2, 1978; effective April 1, 1978. Amendment filed May 19, 1980; effective July 3, 1980.

(Rule 1660-2-3-.03, continued)

Amendment filed May 27, 1983; effective June 27, 1983. Amendment filed September 26, 1996; effective December 10, 1996.

1660-2-3-.04 REPEALED

Authority: T.C.A. §§70-1-206 and 69-9-209. **Administrative History:** Original rule certified May 8, 1974. Repeal and new rule filed May 27, 1983; effective June 27, 1983. Repeal filed April 10, 2007; effective June 24, 2007.

1660-2-3-.05 BACKFIRE FLAME CONTROL.

- (1) Every gasoline engine installed in a motorboat or motor vessel after April 25, 1940, except outboard motors, shall be equipped with an efficient means of backfire flame control. Installations made before November 19, 1952, need not meet the detailed requirements of this subpart and may be continued in use as long as they are in good condition. The following are acceptable means of backfire flame control for gasoline engines:
 - (a) A backfire flame arrestor specifically approved by the U. S. Coast Guard. The flame arrestor shall be suitably secured to the air intake with flame tight connections.
 - (b) An engine air and fuel intake system which provides adequate protection from propagation of backfire flame to the atmosphere equivalent to that provided by an approved flame arrestor. A gasoline engine which has such an air and fuel intake system and which is to be operated without an approved flame arrestor shall be labeled to meet requirements of the U. S. Coast Guard.
 - (c) Any attachment to the carburetor or location of the engine air intake by means of which flames caused by engine backfire will be dispersed to the atmosphere outside the vessel in which a way that the flames will not endanger the vessel or persons on board. All attachments shall be metallic construction with flame tight connections and firmly secured to withstand vibration, shock and engine backfire. Such installations do not require formal approval but will be accepted by the law enforcement officers on the basis of this subpart.
- (2) All motorboats or motor vessels, except open boats, the construction or decking over of which is commenced after April 25, 1940, and which use fuel having a flash point of 100°F. or less, shall have at least 2 ventilator ducts fitted with cowls or their equivalent for the efficient removal of explosive or inflammable gases from the bilges of every engine and fuel tank compartment. There shall be at least one exhaust duct installed so as to extend from the open atmosphere to the lower portion of the bilge and at least one intake duct installed so as to a point at least midway or at least below the level of the carburetor air intake. The cowls shall be located and trimmed for maximum effectiveness so as to prevent displaced fumes from being recirculated.
 - (a) However, boats built after July 31, 1978, shall not have to comply with the requirements for fuel tank compartments that-
 1. contain a permanently installed fuel tank if each electrical component is ignition protected; and,
 2. contain fuel tanks that vent to the outside of the boat.
 - (b) In addition, boats built after July 31, 1980, which are in compliance with the following regulations shall be exempt from the requirement of 1660-2-3-.05, paragraph (2).

(Rule 1660-2-3-.05, continued)

- (3) No person may operate a boat built after July 31, 1980, that has a gasoline engine for electrical generation, mechanical power, or propulsion unless it is equipped with an operable ventilation system that meets the following requirements;
 - (a) Each compartment in a boat that has a permanently installed gasoline engine with a cranking motor must-
 - 1. be open to the atmosphere; or
 - 2. be ventilated by one or more power exhaust blower systems which meet the standards set up in CFR 183.610.
 - (b) Each intake duct for an exhaust blower must be in the lower one-third of the compartment and above the normal level of accumulated bilge water.
 - (c) Each boat that is required to have an exhaust blower must have a label that-
 - 1. is located as close as practicable to each ignition switch;
 - 2. is in plain view of the operator; and
 - 3. has at least the following information:

Warning-Gasoline Vapors Can Explode. Before Starting Engine Operate Blower for 4 Minutes and Check Engine Compartment Bilge for Gasoline Vapors.
- (4) Except for compartments open to the atmosphere, a natural or power ventilation system must be provided for each compartment in a boat that-
 - (a) contains a permanently installed gasoline engine;
 - (b) has openings between it and a compartment that requires ventilation; except that an accommodation compartment above a compartment requiring ventilation by a deck or other structure does not have to comply;
 - (c) contains a permanently installed fuel tank where an electrical component is not ignition protected;
 - (d) contains a fuel tank that vents into that compartment; or
 - (e) contains a non-metallic fuel tank with an aggregate permeability rate greater than the allowable standards established in CFR 183.620.
- (5) Natural ventilation means an airflow in a compartment in a boat achieved by having a-
 - (a) supply opening or duct from the atmosphere or from a ventilated compartment or from a compartment that is open to the atmosphere; and
 - (b) an exhaust opening into another ventilated compartment or an exhaust duct to the atmosphere.
 - (c) Each exhaust opening or exhaust duct must originate in the lower one third of the compartment.

(Rule 1660-2-3-.05, continued)

- (d) Each supply opening or supply duct and each exhaust opening or exhaust duct in a compartment must be above the normal accumulation of bilge water and be able to move the rate of air required as computed in CFR 183.630.
- (e) Each natural ventilation system must be constructed so that-
 - 1. each supply opening is forward facing and located on the exterior surface of a boat; or
 - 2. air will flow into or out of the supply openings at the necessary rate (as computed in CFR 183.630) when the boat is in a wind flowing from bow to stern at a velocity of 10 miles per hour when the engine is not operating.
- (6) As used in this section, the term "open boats" means those motorboats or motor vessels with all engine and fuel tank compartments and other spaces to which explosive or flammable gases and vapors from these compartments may flow, open to the atmosphere so as to prevent the entrapment of such gases and vapors within the vessel.
- (7) Where alterations are needed for existing motorboats or motor vessels to comply with these requirements they shall be accomplished as soon as practicable but in any case shall be completed by June 1, 1966.

Authority: T.C.A. §70-1-206. **Administrative History:** Original rule certified May 8, 1974. Amendment filed June 11, 1981; effective July 27, 1981.

1660-2-3-.06 FIRE EXTINGUISHERS.

- (1) All motorboats carrying passengers for hire must carry the correct number and type of fire extinguishers for a vessel of its size.
- (2) All motorboats 26 feet in length or longer shall carry the correct number and type of fire extinguisher for a vessel of its size.
- (3) Fire extinguishers are required on all motorboats which have compartments wherein explosive or flammable gases or vapors can be entrapped, such as:
 - (a) closed compartments under thwarts and seats wherein fuel tanks may be stored;
 - (b) double bottoms not sealed to the hull or which are not completely filled with flotation material;
 - (c) closed living spaces;
 - (d) closed stowage compartments in which combustible or flammable materials are stowed;
 - (e) permanently installed fuel tanks which are defined as:
 - 1. when the tank is secured to the deck so that tools are required to remove it;
 - 2. when the fill tube is connected to the boat and tank so that screws or bolts must be loosened to remove the tank;
 - 3. when the filled tank cannot be easily or readily handled by one person on board.
- (4) Any vessel may substitute one BII hand portable fire extinguisher for two BI hand portable fire extinguishers.

(Rule 1660-2-3-.06, continued)

- (5) All motorboats shall carry at least the minimum number of hand portable fire extinguishers as set forth below, except that motorboats less than 26 feet in length, propelled by outboard motors and not carrying passengers for hire need not carry such portable fire extinguishers if the construction of such motorboat will not permit the entrapment of explosive or flammable gases or vapors.

Minimum Number of BI Hand Portable Fire Extinguishers Needed

Class of Motorboat	No fixed fire Extinguishing system in machinery spaces	With fixed fire extinguishing system in machinery spaces
A	1	0
1	1	0
2	2 or 1 BII	1
3	3 or 1 BII and 1 BI	2 or 1 BII

Examples of minimum size graduations for some of the typical hand portable fire extinguishers are set forth below:

Classification		Foam (gallons)	Carbon dioxide (pounds)	Dry chemical (pounds)
Type	Size			
B	I	1½	4	2
B	II	2½	15	10
B	III	12	35	20

- (6) Dry chemical stored pressure type fire extinguishers not fitted with pressure gauges or indicating devices do not meet the legal requirements.
- (7) Vaporizing liquid type fire extinguishers containing carbon tetrachloride, chloroboromethane, or other toxic vaporizing liquids are prohibited for carriage on vessels.

Authority: T.C.A. § 70-1-206. **Administrative History:** Original rule certified May 8, 1974. Amendment filed June 11, 1981; effective July 27, 1981.

1660-2-3-.07 NAVIGATION RULES – ADOPTION OF FEDERAL CODE AND REGULATIONS.

- (1) The State of Tennessee hereby adopts, and incorporates by reference, The Inland Navigation Rules Act of 1980, as amended hereinafter, which appears in 33 U.S.C. 2001-2038, *et seq.*, and Annex I through V, 33 CFR 84-88. All vessels operating on or using the waters of Tennessee shall be governed by and follow these rules.

(Rule 1660-2-3-.07, continued)

- (2) Vessels operating in areas designated as “Slow-No wake” shall be governed by the following definitions;
 - (a) “Slow-No wake” shall be defined as a vessel traveling at or below idle speed, or at such speed that the boat or its wake (waves) is not sufficient to cause possible injury or damage to other persons, boats, or property.
- (3) Vessels may not be used, operated, or anchored in such a way that interferes with or blocks vessel traffic in designated channels.

Authority: T.C.A. §§69-9-209 and 70-1-206. **Administrative History:** Original rule certified May 8, 1974. Amendment filed May 27, 1983; effective June 27, 1983. Amendment filed April 16, 1993; effective May 31, 1993. Amendment filed February 28, 1996; effective May 13, 1996. Amendment filed April 10, 2007; effective June 24, 2007.